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ATTORNEYS AT LAW

Docket No.: 258372US41PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/506,675
Applicants: Jeannot HIRONIMUS, et al.
Filing Date: September 17, 2004
For: AGRICULTURAL MOWER COMPRISING A CARRYING VEHICLE AND SEVERAL WORK UNITS
Group Art Unit: 3671
Examiner: KOVACS, A.F.

SIR:

Attached hereto for filing are the following papers:

APPEAL BRIEF

Our credit card payment form in the amount of **$500.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 258372US41PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF	:
JEANNOT HIRONIMUS, ET AL.	: EXAMINER: KOVACS, A.F.
SERIAL NO: 10/506,675	:
FILED: SEPTEMBER 17, 2004	: GROUP ART UNIT: 3671
FOR: AGRICULTURAL MOWER COMPRISING A CARRYING VEHICLE AND SEVERAL WORK UNITS	:

APPEAL BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is an appeal of the final Action mailed July 14, 2006, that presented a final rejection of Claims 29-52 and 58-66. A Notice of Appeal was timely filed on December 14, 2006.

REAL PARTY IN INTEREST

The real party in interest in the present appeal is KUHN S.A. 4 IMPASSE DES FABRIQUES 67706 SAVERNE CEDEX, FRANCE.

RELATED APPEALS AND INTERFERENCES

Appellant, Appellant's legal representatives, and Assignee are not aware of any other appeals, interferences, or judicial proceedings that will directly effect or be directly affected by or have a bearing on the board's decision in the pending appeal.

STATUS OF CLAIMS

Claims 29-66 are pending in this application. Claims 29-52 and 58-66 stand rejected and are being appealed. Claims 53-57 are allowed.

STATEMENT OF AMENDMENTS

No amendments have been filed subsequent to the Final Office action. In response to the Final Office Action, a request for reconsideration without amendment was filed on November 13, 2006.

SUMMARY OF CLAIMED SUBJECT MATTER

As shown in the non-limiting illustration of the instant invention in Figs. 1 and 6 of Appellants' application,[1] the invention recited in independent Claim 29 is directed to an agricultural machine including a carrying vehicle (3, 103) and plural work units (4a, 4b, 5a, 5b) configured to cut a standing product, the work units being connected to the carrying vehicle.[2] The agricultural machine includes at least two front work units (4a, 4b) arranged, during work and viewed in a direction of forward travel (2) of the carrying vehicle, at a front of the carrying vehicle (3, 103).[3] The agricultural machine recited in Claim 29 also includes at least two lateral work units (5a, 5b) arranged, during work, on either side of the carrying vehicle and outside of a work area (18) of the front work units (4a, 4b).[4] The front work units (4a, 4b) and the lateral work units (5a, 5b) are

[1] It is Appellants' understanding that, under the new rules of Practice before the Board of Patent Appeals and Interference, 37 C.F.R. § 41.37(c) requires that a concise explanation of the subject matter recited in each independent claim be provided with reference to the specification by page and line numbers and to the drawings by reference characters. However, Appellants' compliance with such requirements anywhere in this document should in no way be interpreted as limiting the scope of the invention recited in all pending claims, but simply as non-limiting examples thereof.
[2] Original specification, page 4, line 36-page 5, line 10; page 14, line 17-page 15, line 20.
[3] Original specification, page 4, line 36-page 5, line 5.
[4] Original specification, page 5, lines 3-5; page 5, line 36-page 6, line 13; page 14, lines 17-page 15, line 15.

configured to be moved with respect to the carrying vehicle (3, 103) so as to occupy a transport position (shown in Figs. 2, 7) or a work position (shown in Figs. 1, 6).[5]

Independent Claim 31 is directed to an agricultural machine, as shown in Fig. 1, including a carrying vehicle (3) and plural work units (4a, 4b, 5a, 5b) configured to cut a standing product, the work units being connected to the carrying vehicle (3).[6] The agricultural machine of Claim 31 includes at least two front work (4a, 4b) units arranged, during work and viewed in a direction of forward travel (2) of the carrying vehicle, at a front of the carrying vehicle (3).[7] The agricultural machine recited in Claim 31 also includes at least two lateral work units (5a, 5b) arranged, during work, on either side of the carrying vehicle (3) and outside of a work area (18) of the front work units.[8] The front work units (4a, 4b) and the lateral work units (5a, 5b) are configured to be moved with respect to the carrying vehicle (3) so as to occupy a transport position (shown in Fig. 2) or a work position (shown in Fig. 1).[9] During work and viewed in the direction of forward travel (2), the lateral work units (5a, 5b) are arranged backwards with regard to the front work units (4a, 4b).[10] During work and viewed in the direction of forward travel (2), the lateral work units (5a, 5b) are arranged backwards with regard to the carrying vehicle (3).[11]

Independent Claim 32 is directed to an agricultural machine as shown in Figs. 1 and 6 including a carrying vehicle (3, 103) and plural work units (4a, 4b, 5a, 5b) configured to cut a standing product, the work units (4a, 4b, 5a, 5b) being connected to the carrying vehicle (3, 103).[12] The agricultural machine includes at least two front work units (4a, 4b) arranged, during work and viewed in a direction of forward travel (2) of the carrying vehicle (3, 103), at a front of the carrying vehicle.[13] The agricultural machine recited in Claim 32 also includes at least two lateral work units

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[5] Original specification, page 6, line 25-page 7, line 14.
[6] Original specification, page 4, line 36-page 5, line 5.
[7] Original specification, page 5, lines 12-15.
[8] Original specification, page 5, lines 3-5.
[9] Original specification, page 2, lines 23-29; page 6, line 34-page 7, line 14; page 7, line 36-page 8, line 13.
[10] Original specification, page 6, lines 4-7.
[11] Original specification, page 6, lines 7-10.
[12] Original specification, page 4, line 36-page 5, line 10; page 14, line 17-page 15, line 20.
[13] Original specification, page 4, line 38-page 5, line 2; page 14, lines 34-36.

(5a, 5b) arranged, during work, on either side of the carrying vehicle (3, 103) and outside of a work area (18) of the front work units (4a, 4b).[14] The front work units (4a, 4b) and the lateral work units (5a, 5b) are configured to be moved with respect to the carrying vehicle (3, 103) so as to occupy a transport position (Figs. 2, 7) or a work position (Figs. 1, 6).[15] During work and viewed in the direction of forward travel (2), the lateral work units (5a, 5b) are arranged backwards with regard to the front work units (4a, 4b).

Independent Claim 49 is directed to an agricultural machine as shown in Figs. 1 and 6-10 including a carrying vehicle (3, 103) and plural work units (4a, 4b, 5a, 5b) configured to cut a standing product,[16] the work units being connected to the carrying vehicle.[17] The agricultural machine recited in independent Claim 49 includes at least two front work units (4a, 4b) arranged, during work and viewed in a direction of forward travel (2) of the carrying vehicle (3, 103), at a front of the carrying vehicle (3, 103) and at least two lateral work units (5a, 5b) arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units.[18] The front work units (4a, 4b) and the lateral work units (5a, 5b) are configured to be moved with respect to the carrying vehicle (3, 103) so as to occupy a transport position (shown in Figs. 2 and 7) or a work position (shown in Figs. 1 and 6).[19] Each work unit (4a, 4b, 5a, 5b) comprises a respective cutting device configured to cut a standing product.[20] At least one of the work units (4a, 4b, 5a, 5b) comprises a respective conveying device (25a, 25b, 26a, 26b, 326a, 326b) configured to move the product cut by the corresponding cutting device before the cut product touches the ground.[21] The agricultural device recited in Claim 49 is arranged such that at least one of the front work units (4a, 4b) comprises a respective conveying device (25a, 25b). The conveying device (25a, 25b)

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[14] Original specification, page 5, lines 3-5; page 5, line 36-page 6, line 13; page 14, lines 17-page 15, line 15.
[15] Original specification, page 2, lines 23-29; page 6, line 34-page 7, line 14; page 7, line 36-page 8, line 13.
[16] Original specification, page 14, lines 31-page 15, line 3.
[17] Original specification, page 4, line 36-page 5, line 10; page 14, line 17-page 15, line 20.
[18] Original specification, page 4, line 36-page 5, line 10; page 14, lines 17-page 15, line 15.
[19] Original specification, page 2, lines 23-29; page 6, line 34-page 7, line 14; page 7, line 36-page 8, line 13.
[20] Original specification, page 4, lines 24-34.
[21] Original specification, page 11, lines 18-37.

comprises a conveyor belt (29a, 29b) arranged transversely behind the corresponding cutting device.[22]

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds for rejection to be reviewed on appeal and outstanding in the present application are as follows: (1) whether Claims 29-52 and 58-66 are unpatentable under 35 U.S.C. § 102(e) over Franet et al. U.S. Patent Pub. No. 2002/0174634 (U.S. Patent No. 6,758,031, herein "Franet").[23]

ARGUMENT

Rejection of Claims 29, 30, 33-48, 52, and 58-60

Independent Claim 29

Appellants respectfully request that the Board reverse the Examiner's rejection of Claims 29, 30, 33-36, 38-48, 52, and 58-60 because Franet fails to teach or suggest an agricultural machine including:

> at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and
>
> at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,
>
> wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position.

as recited in independent Claim 29. As set forth above, the **two front work units** are arranged at the front of a carrying vehicle during work. Also during work, **two lateral work units** are arranged on either side of the carrying vehicle and **outside of a work area of the front work units**. Thus, the

[22] Original specification, page 11, lines 18-37.
[23] Appellants note that, while the July 14, 2006, Office Action cited "Franet et al (part of record, '634)", which relates to the printed publication from Franet, the sections specifically cited in that Office Action are from the patent U.S. 6,758,031 to Franet, not the publication.

recited agricultural machine includes at least four different work units, and the two lateral work units are outside the work area of the front work units.

Franet fails to disclose four work units, much less four work units arranged as recited in independent Claim 29. Rather, as shown in Fig. 1 and Fig. 2, Franet describes three mowing units (14), all of which are located in front of the carrier vehicle (12). In describing the figures, Franet states:

> On the basis of the above description, the result is the following drive concept, where the assumption is that three mowing units 14 are used.[24]

Accordingly, Franet describes a triangular arrangement of only three individual mowing units (14) located toward the front of the carrier vehicle (12). Nowhere in Franet is an embodiment with four working units disclosed. Moreover, even if Franet were to describe four working units, Franet is devoid of any teaching or suggestion that the working units would be arranged in the specific positions recited in independent Claim 29. For example, the two lateral units must be located outside a work area of the two front work units. As Franet does not teach or suggest two lateral work units and two front work units, Franet cannot teach two lateral work units located **outside a work area of two front work units**.

The July 14, 2006, Office Action cites Franet, col. 1, line 44 and col. 3, lines 60-67 for the feature of multiple work units.[25] However, Appellants respectfully submit that the simple discussion of mowing **units** (14) discussed in the sections of Franet cited in the July 14, 2006, Office Action does not correlate to providing **four** work units arranged in the particular positions recited in independent Claim 29. Rather, the mere description of a "mowing head or heads" in Franet means only that more than one mowing head is provided by Franet, not that at least two front work units are arranged in front of a carrying vehicle and at least two lateral work units are arranged on either side

[24] Franet, col. 5, lines 46-48.
[25] July 14, 2006, Office Action, page 2.

of the carrying vehicle and outside of a work area of the front work units as recited in independent Claim 29. The first section of Franet cited in the July 14, 2006, Office Action states:

> An object of the invention is to provide a mower unit suspension that allows the cutting angle to be easily adjusted from an operator's platform, so that this is utilized optimally and the correct cutting angle is selected each time. For example, at the edge of a field a flat cutting angle of 0 degrees can be selected so that no stones or the like are picked up which could damage the mowing head or heads or contaminate the forage, while after the first pass of the mower the cutting angle is repositioned to approximately 4 to 6 degrees, so that the remaining stubble is not too high. Such a repositioning arrangement that can be controlled remotely may be a mechanical linkage as well as a push-pull cable control, a hydraulic motor or an electric motor which, in particular, can be controlled electrically.[26]

The second section of Franet cited in the July 14, 2006, Office Action regarding multiple work units (and again cited in the Advisory Action dated December 7, 2006, but as paragraph [0024] of Franet publication U.S. 2002/0174634) states:

> The mowing units 14 are configured nearly identically and kept in the form of a known front mowing head. In a manner not shown each mowing unit is equipped with a mowing head that may be configured, for example, as a disk mowing head, drum mowing head or as a cutter bar. If desired, the mowing head can be followed downstream by a processing arrangement, for example, a stalk crimping or conditioning arrangement or the like. In any case, each mowing unit 14 includes a housing 20, a rear swath-forming arrangement 22, a flange region 24 and a power-distributing transmission or gearbox 26.[27]

Appellants respectfully submit that neither of the sections of Franet cited in the July 14, 2006, Office Action in any way discloses the four work units and their corresponding arrangement recited in independent Claim 29. Nor does any other portion of Franet disclose the above-noted arrangement of two front working units and two lateral working units recited in independent Claim 29.

Claims 30, 33-48, 52, and 58-60 each depend, directly or indirectly from independent Claim 29 and patentably distinguish over Franet for at least the same reasons. Accordingly, Appellants

[26] Franet, col. 1, lines 38-51.
[27] Franet, col. 3, lines 60-67.

respectfully request the Board to reverse the Examiner's rejection of Claims 29, 30, 33-48, 52, and 58-60 for the reasons discussed above.

Dependent Claim 37

Appellants wish to make the following remarks regarding dependent Claim 37 as patentably distinguishing over Franet for reasons aside from dependency from independent Claim 29.

Appellants respectfully request the Board to reverse the Examiner's rejection of dependent Claim 37 for the following additional reasons.

Dependent Claim 37 recites:

> An agricultural machine as claimed in claim 29, wherein at least one of the work units is connected in a sliding manner to the carrying vehicle by a respective articulation whose axis is directed transversely to the direction of forward travel, and wherein operating members are provided configured to translationally move the at least one work unit in accordance with the respective articulation.

An example of the above-recited arrangement is described at page 8, line 15-page 9, line 18. One benefit of the above-recited arrangement is that the distance between the vehicle and the lateral cutting members can be controlled so as to regulate the size of the work area. Another advantage is to that it is easier to reduce the size of the assembly in the folded position during transport.

In contrast, Franet fails to teach or suggest at least one work unit connected in a sliding manner to the carrying vehicle, much less connected in a sliding manner via an articulation whose axis is directed transversely to the direction of forward travel as recited in dependent Claim 37.

The Office Action dated July 14, 2006, cites column 6, lines 23-39 of Franet for the features of dependent Claim 37. However, Franet merely describes exchanging mowing units (14) via bolts, screws, or hooks. The section of Franet cited by the Examiner states:

> Beyond that, the arrangement and configuration of the further transmissions 34 makes it possible to replace a damaged mowing unit 14 by another, for example, of the existing combination. An exchange of the mowing units 14 at the sides is possible without any change. An exchange of the forward mowing unit 14 for one on the side is possible, provided the further transmission 34' configured as an angle drive transmission is exchanged for a further gearbox

> 34 configured as a spur gear drive or belt drive gearbox or vise versa, which is possible without any problem due to the method of arrangement and fastening. This ability to exchange without any problem makes it possible to react rapidly to any damage to a mowing unit 14, so that a mowing unit 14 ready to be applied is always available, and is located ahead of the carrier vehicle 12. The separation of the mowing unit 14 from the carrier 16 is performed in the flange region 24 by means of bolts, screws, hooks or the like, not shown.[28]

Appellants respectfully submit that the section cited in the July 14, 2006, Office Action is devoid of at least one work unit connected in a sliding manner to the carrying vehicle by a respective articulation whose axis is directed transversely to the direction of forward travel. Nor does the cited section teach or suggest operating members provided and configured to translationally move the at least one work unit in accordance with the respective articulation. Indeed, Franet is silent with regard to the above-noted features, and Appellants respectfully request the Board to reverse the rejection of dependent Claim 37 for at least the reasons discussed above.

Dependent Claim 59

Appellants wish to make the following remarks regarding dependent Claim 59 as patentably distinguishing over Franet for reasons aside from dependency from independent Claim 29.

Dependent Claim 59 recites:

> An agricultural machine as claimed in claim 29, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

Accordingly, the lateral work units are offset **from the front** of the carrying vehicle. The offset is made **in a direction opposite to the direction of forward travel** of the carrying vehicle.

In contrast, as shown in Figs. 1 and 2, Franet describes three mowing units (14) disposed only in **front** of the carrier vehicle (12). No offset is made in a direction **opposite** to the direction of forward travel of the carrier vehicle (12). Accordingly, Appellants respectfully submit that dependent Claim 59 further patentably distinguishes over Franet for at least the additional reasons

[28] Franet, col. 6, lines 22-39.

discussed above, and Appellants respectfully request reversal of the Examiner's rejection of dependent Claim 59 for the additional reasons discussed above.

Rejection of Claims 31, 61, and 62

Independent Claim 31

Appellants respectfully request that the Board reverse the Examiner's rejection of Claims 31, 61, and 62 because Franet fails to teach or suggest an agricultural machine including:

> at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and
>
> at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,
>
> wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position,
>
> wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the front work units, and
>
> wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the carrying vehicle.

As discussed above regarding independent Claim 29, Franet fails to disclose two front work units arranged at a front of a carrying vehicle and **two lateral work units arranged outside of a work area of the front work units**. Rather, Franet merely describes 3 mowing units (14), each of which is disposed at a front of the carrier vehicle (13).

Additionally, Franet fails to teach or suggest lateral work units arranged **backwards with regard to the carrying vehicle** during work. As shown in Fig. 1, all of the mowing units (14) are arranged in front of the carrier vehicle (12). None of the mowing units are arranged backwards with regard to the carrying vehicle as recited in independent Claim 31. Accordingly, Appellants respectfully request reversal of the Examiner's rejection of independent Claim 31 and Claims 61 and 62 depending therefrom for the reasons discussed above.

Rejection of Claims 32, 63, and 64

Independent Claim 32

Appellants respectfully request that the Board reverse the Examiner's rejection of Claims 32, 63, and 64 because Franet fails to teach or suggest an agricultural machine including:

> at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and
>
> at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,
>
> wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position, and
>
> wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the front work units.

As discussed above regarding independent Claims 29 and 31, Franet fails to disclose two front work units arranged at a front of a carrying vehicle and **two lateral work units arranged outside of a work area of the front work units**. Rather, Franet merely describes 3 mowing units (14), each of which is disposed at a front of the carrier vehicle (13).

Independent Claim 32 additionally recites that the lateral work unites are arranged backwards with regard to the front work units during work. Appellants respectfully submit that Franet is devoid of any teaching or suggestion of this further limitation recited in Claim 32. As Franet describes only 3 mowing units (14), two of which are located behind the third, Franet cannot disclose lateral work **units** arranged backwards with regard to front work **units** as recited in independent Claim 32. Instead, as Franet describes only 3 mowing units (14), Franet can describe a relationship of mowing **units** relative only to another mowing unit, not other mowing units. Accordingly, Appellants respectfully request that the Board reverse the rejection of Claims 32 and Claims 63 and 64 depending therefrom as anticipated by Franet for the reasons discussed above.

Dependent Claim 63

Appellants wish to make the following remarks regarding dependent Claim 63 as patentably distinguishing over Franet for reasons aside from dependency from independent Claim 32.

Dependent Claim 63 recites:

> An agricultural machine as claimed in claim 32, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

Thus, during work, the lateral work units are offset from the front of the carrying vehicle in a direction opposite the direction of forward travel.

As discussed above regarding dependent Claim 59, all of the mowing units (14) described in Franet are disposed in front of the carrier vehicle (12) as shown in Fig. 1. None of the mowing units described in Franet are offset from the front of the vehicle in a direction opposite to the direction of forward travel. Accordingly, Appellants respectfully request the Board to reverse the rejection of dependent Claim 63 for the additional reasons discussed above.

Rejection of Claims 49, 50, 51, 65, and 66

Independent Claim 49

Appellants respectfully request that the Board reverse the Examiner's rejection of independent Claim 49 and Claims 50, 51, 65, and 66 depending therefrom because Franet fails to teach or suggest an agricultural machine including:

> at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and
>
> at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,
>
> wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position,
>
> wherein each work unit comprises a respective cutting device configured to cut a standing product, and wherein at least one of the work units comprises a respective conveying device configured to move the product cut by the corresponding cutting device before the cut product touches the ground,

> wherein at least one of the front work units comprises a respective conveying device, and
>
> wherein the conveying device comprises a conveyor belt arranged transversely behind the corresponding cutting device.

As discussed above regarding independent Claims 29, 31, and 32, Franet fails to disclose two front work units arranged at a front of a carrying vehicle and **two lateral work units arranged outside of a work area of the front work units**. Rather, Franet merely describes 3 mowing units (14), each of which is disposed at a front of the carrier vehicle (13).

Accordingly, Appellants respectfully submit that independent Claim 49 patentably distinguishes over Franet for at least the same reasons as independent Claim 29 does, and Appellants request the Board to reverse the rejection of independent Claim 49 and Claims 50, 51, 65, and 66 depending therefrom for the reasons discussed above.

Dependent Claim 50

Appellants respectfully request the Board to reverse the Examiner's rejection of dependent Claim 50 for the following additional reasons.

Dependent Claim 50 recites:

> An agricultural machine as claimed in claim 49, further comprising an engine configured to drive the conveyor belt in two directions of travel.

The Office Action dated July 14, 2006, relies on Franet, col. 5, lines 49-67 and col. 6, lines 1-21 for the feature of an engine configured to drive a conveyor belt in two directions of travel.[29] However, the cited sections of Franet (which are sequential) state:

> The drive is transmitted from the carrier vehicle 12 over the belt drive transmission 48 to the drive gear 46, which brings the shaft 44 into rotation. The shaft 44 is connected on both sides of the transmission housing 50, fixed against rotation, over one articulated shaft 32 each with the input shaft 38 of the further transmission 34, where, with the left mowing unit 14, an exposed end section of the input shaft 38 projecting from the right side of the transmission housing 40 is connected to the associated shaft 32, and, where, with the right mowing unit 14, an exposed end section of the input shaft 38 projecting from the left side of the

[29] Office Action dated July 14, 2006, page 5.

> gearbox housing 40 is connected to the associated shaft 32. Within the further transmission 34 configured as a spur gear or belt drive transmission, the drive is transmitted further to each of the output shafts 36, if necessary with a step up or reduction in speed, which in turn is connected, fixed against rotation, over an associated articulated shaft 32 with the input shaft 28 of the transmission 26. The transmission 26 finally transmits the drive to the particular mowing head and, if available, processing arrangement. Accordingly, the drive of the mowing units 14 at the sides is performed, or its drive, in case only one mowing unit 14 at the side is used, without the main drive transmission 42 becoming loaded since the shaft 44 extends completely through the transmission housing 50, which serves in the nature of a bearing support for the shaft 44. The drive of the central and the forward mowing unit 14 originates from the shaft 44 or the gear 52 fastened to it, which drives the output shaft 56 through the positive locking connection with the gear 54. The output shaft 56 is connected, fixed against rotation, over a further articulated shaft 32 with the input shaft 38' of the further transmission 34' on the forward mowing unit 14. A further articulated shaft 32 connects the output shaft 36' of the further transmission 34' with the input shaft 28 of the transmission 26, so that thereby the drive of the mowing head and, if available, of the processing arrangement is guaranteed.[30]

Appellants respectfully submit that Franet is devoid of any teaching or suggestion, in the sections cited above, or elsewhere, of an engine configured to drive a conveyor belt in **two** directions. Accordingly, Appellants respectfully request that the Board reverse the Examiner's rejection of dependent Claim 50 for the additional reasons discussed above.

Dependent Claim 65

Dependent Claim 65 recites:

> An agricultural machine as claimed in claim 49, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

Accordingly, dependent Claim 65 recites substantially similar features to those discussed above regarding dependent Claim 59 in that the lateral work units are offset from the front of the carrying vehicle in the direction opposite to forward travel. As shown in Fig. 1, all of the mowing units (14) are entirely in front of the carrier vehicle (3, 103). Accordingly, dependent Claim 65 patentably

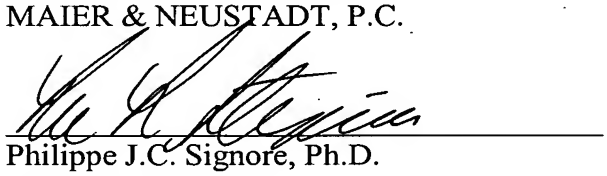
[30] Franet, col. 5, line 49-col. 6, line 21.

distinguishes over Franet for the additional reasons discussed above, and Appellants respectfully request that the rejection of dependent Claim 65 be reversed.

In view of these foregoing comments, each of the pending Claims 29-52 and 58-66 clearly distinguish over the applied reference, and thus the outstanding rejections of Claims 29-52 and 58-66 must be REVERSED.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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CLAIMS APPENDIX

29. An agricultural machine including a carrying vehicle and plural work units configured to cut a standing product, the work units being connected to the carrying vehicle, the agricultural machine comprising:

at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and

at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,

wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position.

30. An agricultural machine as claimed in claim 29, wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the front work units.

31. An agricultural machine including a carrying vehicle and plural work units configured to cut a standing product, the work units being connected to the carrying vehicle, the agricultural machine comprising:

at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and

at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,

wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position,

wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the front work units, and

wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the carrying vehicle.

32. An agricultural machine including a carrying vehicle and plural work units configured to cut a standing product, the work units being connected to the carrying vehicle, the agricultural machine comprising:

at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and

at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,

wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position, and

wherein, during work and viewed in the direction of forward travel, the lateral work units are arranged backwards with regard to the front work units.

33. An agricultural machine as claimed in claim 29, wherein at least one of the work units is connected in a pivoting manner to the carrying vehicle by a respective articulation whose axis is directed in the direction of forward travel, and wherein operating members are provided configured to pivot the at least one work unit about the respective articulation from the work position to the transport position, and vice versa.

34. An agricultural machine as claimed in claim 33, wherein the at least one work unit is arranged:

in the work position, at least substantially horizontally, and

in the transport position, at least substantially vertically.

35. An agricultural machine as claimed in claim 33, wherein at least one of the front work units is connected by the respective articulation to a hitching structure, which hitching structure is in turn connected to the carrying vehicle.

36. An agricultural machine as claimed in claim 35, wherein the carrying vehicle comprises a front hitching device, the front hitching device configured to be height adjustable to move the hitching structure in a substantially vertical direction.

37. An agricultural machine as claimed in claim 29, wherein at least one of the work units is connected in a sliding manner to the carrying vehicle by a respective articulation whose axis is directed transversely to the direction of forward travel, and wherein operating members are provided configured to translationally move the at least one work unit in accordance with the respective articulation.

38. An agricultural machine as claimed in claim 37, wherein at least one of the lateral work units is connected in a sliding manner by the respective articulation to a respective carrying arm, the carrying arm being in turn connected in a pivoting manner by a respective articulation to the carrying vehicle.

39. An agricultural machine as claimed in claim 33, wherein at least one of the lateral work units is connected in a pivoting manner by the respective articulation to a respective carrying arm,

the carrying arm being in turn connected in a sliding manner by a respective articulation to the carrying vehicle.

40. An agricultural machine as claimed in claim 38, wherein the carrying arm is connected by the respective articulation to a hitching structure, which hitching structure is in turn connected to the carrying vehicle.

41. An agricultural machine as claimed in claim 39, wherein the carrying arm is connected by the respective articulation to a hitching structure, which hitching structure is in turn connected to the carrying vehicle.

42. An agricultural machine as claimed in claim 40, wherein the carrying vehicle comprises a rear hitching device configured to move the hitching structure in a substantially vertical direction.

43. An agricultural machine as claimed in claim 41, wherein the carrying vehicle comprises a rear hitching device configured to move the hitching structure in a substantially vertical direction.

44. An agricultural machine as claimed in claim 29, wherein the at least two front work units comprise two front work units.

45. An agricultural machine as claimed in claim 29, comprising two lateral work units.

46. An agricultural machine as claimed in claim 37, wherein the carrying vehicle comprises a control device configured to autonomously manage movement of the work units upon passing from the transport position to the work position, and vice versa.

47. An agricultural machine as claimed in claim 29, wherein each work unit comprises a respective cutting device configured to cut a standing product, and wherein at least one of the work units comprises a respective conveying device configured to move the product cut by the corresponding cutting device before the cut product touches the ground.

48. An agricultural machine as claimed in claim 47, wherein at least one of the front work units comprises a respective conveying device.

49. An agricultural machine including a carrying vehicle and plural work units configured to cut a standing product, the work units being connected to the carrying vehicle, the agricultural machine comprising:

at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and

at least two lateral work units arranged, during work, on either side of the carrying vehicle and outside of a work area of the front work units,

wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position,

wherein each work unit comprises a respective cutting device configured to cut a standing product, and wherein at least one of the work units comprises a respective conveying device configured to move the product cut by the corresponding cutting device before the cut product touches the ground,

wherein at least one of the front work units comprises a respective conveying device, and

wherein the conveying device comprises a conveyor belt arranged transversely behind the corresponding cutting device.

50. An agricultural machine as claimed in claim 49, further comprising an engine configured to drive the conveyor belt in two directions of travel.

51. An agricultural machine as claimed in claim 49, wherein the conveying device is connected in a sliding manner to the corresponding front work unit, and wherein operating members are provided configured to translationally move the conveying device horizontally, viewed in the work position, and transversely to the direction of forward travel.

52. An agricultural machine as claimed in claim 47, wherein at least one of the lateral work units comprises a respective conveying device.

53. An agricultural machine including a carrying vehicle and plural work units configured to cut a standing product, the work units being connected to the carrying vehicle, the agricultural machine comprising:

at least two front work units arranged, during work and viewed in a direction of forward travel of the carrying vehicle, at a front of the carrying vehicle; and

at least two lateral work units arranged, during work, on either side of a work area of the front work units,

wherein the front work units and the lateral work units are configured to be moved with respect to the carrying vehicle so as to occupy a transport position or a work position,

wherein each work unit comprises a respective cutting device configured to cut a standing product, and wherein at least one of the work units comprises a respective conveying device configured to move the product cut by the corresponding cutting device before the cut product touches the ground, and

wherein the conveying device comprises an upper conveyor belt and a lower conveyor belt, the conveyor belts being arranged, at least in one position, one above the other and transversely behind the corresponding cutting device.

54. An agricultural machine as claimed in claim 53, wherein the lower conveyor belt is connected in a sliding manner to the corresponding lateral work unit, and wherein operating members are provided configured to translationally move the lower conveyor belt horizontally, viewed in the work position, and transversely to the direction of forward travel.

55. An agricultural machine as claimed in claim 53, wherein the lower conveyor belt is connected in a pivoting manner to the corresponding lateral work unit by an articulation whose axis is directed upward.

56. An agricultural machine as claimed in claim 55, wherein the lower conveyor belt comprises a first conveyor belt and a second conveyor belt.

57. An agricultural machine as claimed in claim 56, wherein the second conveyor belt is connected in a pivoting manner to the corresponding first conveyor belt by a respective articulation of substantially horizontal axis.

58. An agricultural machine as claimed in claim 29, wherein the carrying vehicle comprises two rear wheels, the two rear wheels being connected in a sliding manner to the carrying vehicle by a respective articulation whose axis is substantially horizontal and transverse to the direction of forward travel, and wherein operating members are provided configured to translationally move each rear wheel in accordance with the respective articulation.

59. An agricultural machine as claimed in claim 29, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

60. An agricultural machine as claimed in claim 59, wherein the lateral work units are disposed outside of a projection of the front work units, the projection being in a direction about perpendicular to the direction of forward travel.

61. An agricultural machine as claimed in claim 31, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

62. An agricultural machine as claimed in claim 61, wherein the lateral work units are disposed outside of a projection of the front work units, the projection being in a direction about perpendicular to the direction of forward travel.

63. An agricultural machine as claimed in claim 32, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

64. An agricultural machine as claimed in claim 63, wherein the lateral work units are disposed outside of a projection of the front work units, the projection being in a direction about perpendicular to the direction of forward travel.

65. An agricultural machine as claimed in claim 49, wherein the lateral work units are offset in a direction opposite to the direction of forward travel from the front of the carrying vehicle during work.

66. An agricultural machine as claimed in claim 65, wherein the lateral work units are disposed outside of a projection of the front work units, the projection being in a direction about perpendicular to the direction of forward travel.

EVIDENCE APPENDIX

NONE

RELATED PROCEEDINGS APPENDIX

NONE